DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/12/2011 has been entered.

Response to Arguments

2.   Applicant's arguments filed 22-26, 28-40, 42, 43 and 44 have been fully considered but they are not persuasive.

DETAILED ACTION

3.   The disclosure is objected to because of the following informalities:

BACKGROUND OFTHEINVENTION, SUMMARY OF THE INVENTION, BRIEF DESCRIPTION OF THE DRAWINGS, and DETAILED DESCRIPTION OF THE INVENTION headings required.

Appropriate correction is required.

Content of Specification

(a)   Title of the Invention: See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and

descriptive, preferably from two to seven words may not contain more than 500 characters.

(b)   Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11.

(c)   Statement Regarding Federally Sponsored Research and Development: See MPEP § 310.

(d)   The Names Of The Parties To A Joint Research Agreement: See 37 CFR 1.71(g).

(e)   Incorporation-By-Reference Of Material Submitted On a Compact Disc: The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

(f)   Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:

   (1)   Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."

   (2)   Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."

(g)   Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in

general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

(h)   Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.

(i)   Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

(j)   Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).

(k)   Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).

(l)   Sequence Listing, See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 22-26, 28, 31, 33, 34, 36-39 and 43 rejected under 35 U.S.C. 103(a) as

being unpatentable over Mauger et al. US 6,937,612 in view of Koponen et al. US

20020085511.

        Regarding claim 22, Mauger discloses a method for wireless data transfer

between a first multimedia device and a second multimedia device, in which the first

multimedia device and the second multimedia device are connected via a connection

that is operable according to a first wireless data transfer standard and to a second

wireless data transfer standard, and in which the first wireless data transfer standard

and the second wireless data transfer standard are different from and not compatible

with each other (**abstract, communication method for enabling traffic to be carried

between devices which may use different communications protocols employs a

multimedia service provide**). Mauger discloses application data receiving in which

application commands, application parameters, and application data of the first wireless

data transfer standard are received by the first multimedia device from an application of

the first multimedia device (**col. 2, lines 62-67 where communication between the

user devices is enabled by converting traffic between the devices according to**

the protocols used by each device). Mauger discloses transmitting data from the first

multimedia device according to the first wireless data transfer standard by performing

connection layer processing in which the application commands, application

parameters, and application data are processed by the first multimedia device to obtain

respective connection commands, connection parameters, and connection data of the

first wireless data transfer standard (**col. 2, lines 34-49 where data is transmitted**

between two devices by comparing the formats, standards and protocols) and

standard switching from the first wireless data transfer standard to the second wireless

data transfer standard, by the first multimedia device, so as to switch from transmitting

the data according to the first wireless data transfer standard to transmitting the data

according to the second wireless data transfer standard without interruption (**col. 2,**

lines 62-67 where communication between the user devices is enabled by

converting traffic between the devices according to the protocols used by each

device therefore standard switching without interruption), including adaptation

layer processing in which, a standard conversion is performed, wherein the connection

commands, connection parameters, and connection data from the connection layer

processing are converted into respective processed connection commands, processed

connection parameters, and processed connection data according to the second

wireless data transfer standard (**col. 2, lines 44-47 where the service provider may**

therefore advantageously assess the required conversion by comparing the

formats, standards and protocols used by the two devices therefore adaptation

layer processing in which, a standard conversion is performed therefore

adaptation layer processing in which, a standard conversion is performed).

Mauger fails to disclose a wireless data transfer which first multimedia device

and second multimedia device are connected via a point-to-point wireless connection

but Koponen teaches a wireless data transfer which first multimedia device and second

multimedia device are connected via a point-to-point wireless connection where a

Bluetooth system which provides a point-to-point connection (**paragraph [0026] where**

Data transfer between the PDA device 10 and the mobile station 20 is arranged by

means of a local link such as Bluetooth and infra-red therefore point to point).

At the time of invention, it would have been obvious to a person of ordinary skill

to modify the invention of Mauger and add a wireless data transfer which first

multimedia device and second multimedia device are connected via a point-to-point

wireless connection. The motivation would in order to enable the user different wireless

communication devices simultaneously **(paragraph [0006]).**

Regarding claim 23, Mauger discloses a method for wireless data transfer

between a first multimedia device and a second multimedia device, in which the first

multimedia device and the second multimedia device are connected via a connection

that is operable according to a first wireless data transfer standard and to a second

wireless data transfer standard, and in which the first wireless data transfer standard

and the second wireless data transfer standard are different from and/or not compatible

with each other(**abstract, communication method for enabling traffic to be carried**

**between devices which may use different communications protocols employs a
multimedia service provide**). Mauger discloses transmission data receiving in which
transmitted wireless data are received by the second multimedia device, according to
the first wireless data transfer standard from the first multimedia device (col. 2, lines 62-
67 where communication between the user devices is enabled by converting traffic
between the devices according to the protocols used by each device therefore
transmitted data are received by the second multimedia device). Mauger discloses an
adaptation layer processing in which, after the transmitted data has switched from being
received by the second multimedia device according to the first wireless data transfer
standard to being received according to the second wireless data transfer standard
without interruption, a standard conversion is performed by the second multimedia
device, wherein the transmitted wireless data are processed to obtain connection
commands, connection parameters, and connection data of the second wireless data
transfer standard (**col. 7, lines 44-47 - adaptation Layer and col. 8, lines 33-36
where a standard protocol conversion is performed**). Mauger discloses connection
layer processing in which the connection commands, connection parameters, and
connection data of the transmitted wireless data, which were received according to the
second wireless data transfer standard, are converted into respective application
commands, application parameters, and application data of the first wireless data
transfer standard (**col. 4, lines 6-19 where a connection supervisor for
orchestrating the communication of traffic components between first and second
devices).** Mauger discloses an application data processing executed by the second

multimedia device, wherein the converted application commands, application

parameters, and application data are provided to an application of the first multimedia

device (**col. 8, lines 27-40 - where the call and data is received by the second**

multimedia device and col. 2, lines 62-67 where communication between the user

devices is enabled by converting traffic between the devices according to the

protocols used by each device).

　　　　Mauger fails to disclose a wireless data transfer which first multimedia device

and second multimedia device are connected via a point-to-point wireless connection

but Koponen teaches a wireless data transfer which first multimedia device and second

multimedia device are connected via a point-to-point wireless connection where a

Bluetooth system which provides a point-to-point connection (**paragraph [0026] where**

Data transfer between the PDA device 10 and the mobile station 20 is arranged by

means of a local link such as Bluetooth and infra-red therefore point to point).

　　　　At the time of invention, it would have been obvious to a person of ordinary skill

to modify the invention of Mauger and add a wireless data transfer which first

multimedia device and second multimedia device are connected via a point-to-point

wireless connection. The motivation would in order to enable the user different wireless

communication devices simultaneously **(paragraph [0006]).**

　　　　Regarding claim 24, Mauger modified by Koponen discloses wherein the

standard switching comprises: opening a new temporary wireless connection between

the first multimedia device and the second multimedia device, the new temporary

wireless connection operating according to the second wireless data transfer standard;

and terminating the currently applied first wireless data transfer standard based on a

determination of a need for the second wireless data transfer standard (**see above**).

Regarding claim 25, Koponen teaches a method according to claim 22, wherein

the method for wireless data transfer realizes a point-to-point connection between the

first multimedia device and the second multimedia **device (paragraph [0026] where

the Bluetooth system also provides a point-to-point connection).**

Regarding claim 26, Mauger discloses wherein the adaptation layer processing is

performed within an adaptation layer (**col. 7, lines 44-47 - adaptation Layer**).

Regarding claim 28, Koponen teaches determining whether to perform the

standard switching from the first wireless data transfer standard to the second wireless

data transfer standard based on properties of the wireless connection according to the

first wireless data transfer standard, including a distance between the first multimedia

device and the second multimedia device (**paragraph [0019] –closest distance**).

Regarding claim 31, Koponen teaches wherein the distance between the first

multimedia device and the second multimedia device is determined based on

positioning system data (**paragraph [0019]**).

Regarding claim 33, Koponen teaches wherein the first multimedia device is a video camcorder and the second multimedia device is a data processing means **(see fig. 1).**

Regarding claim 34, Koponen teaches wherein the data processing means is a personal computer, a notebook, a video recorder, a television set, a personal digital assistant, a portable phone, a stereo headphone, or a mobile video viewer **(see fig. 1).**

Regarding claim 36, Koponen teaches wherein the first wireless data transfer standard and the second wireless data transfer standard are any of the following standards: IEEE 802.11 a, IEEE 802.11 b, Bluetooth (BT), ZigBee, [[or]] and IEEE 802.15.3 and the connection commands, connection parameters, and/or connection data correspond to any of the following standards: UDP/TCP, Bluetooth (BT) **(paragraph [0026] - Bluetooth (BT)).**

Regarding claim 37, Koponen teaches a wireless data transfer system configured to perform a method for wireless data transfer according to claim 22 **(paragraph [0026]).**

Regarding claim 38, Koponen teaches a computer program product comprising computer program means adapted to perform a method for wireless data transfer

according to claim 22, when the method is executed on a computer or a digital signal

processing means (**see abstract where information is communicated therefore data

transfer).**

Regarding claim 39, Koponen teaches a non-transitory computer-readable

storage medium comprising a computer program product according to claim 38

(**paragraph [0027]).**

Regarding claim 43, Koponen teaches opening a new temporary wireless

connection between said first multimedia device and said second multimedia device, the

new temporary wireless connection operating according to said second wireless data

transfer standard and terminating the currently applied first wireless data transfer

standard based on a determination of a need for the second wireless data transfer

standard (see above).

6.   Claims 29, 30, 32, 35, 40, 42 and 44 rejected under 35 U.S.C. 103(a) as being

unpatentable over Mauger et al. US 6,937,612 in view of Koponen et al. US

20020085511 and in further view of Fujioka US 6907227.

Regarding claim 40, Mauger discloses A multimedia device connectable with a

further multimedia device via a connection that is operable according to a first wireless

data transfer standard and to a second wireless data transfer standard, in which the first

wireless data transfer standard and the second data transfer wireless standard are

different from and not compatible with each other (**abstract, communication method**

for enabling traffic to be carried between devices which may use different

communications protocols employs a multimedia service provide). Mauger

discloses, the multimedia device comprising: a connection layer configured to receive

application commands, application parameters, and application data of the first wireless

data transfer standard from an application layer, and further configured to process the

application commands, application parameters, and application data, thus generating

respective connection commands, connection parameters, and connection data of the

first wireless data transfer standard, the application layer providing access to a data

storage unit of the multimedia device which stores data (**col. 4, lines 6-19 where a**

connection supervisor for orchestrating the communication of traffic components

between first and second devices). Mauger discloses a managing unit configured to

seamlessly switch from the first wireless data transfer standard and to the second

wireless data transfer standard as a chosen wireless data transfer standard (**col. 11,**

lines 12-21 - standard chosen-LAN or WAN). Mauger discloses an adaptation layer

configured to (**col. 7, lines 44-47 - adaptation Layer**), when the managing unit

switches from the first wireless data transfer standard to the second wireless data

transfer standard when transmitting the data stored in the data storage unit, perform a

standard conversion, wherein the connection commands, connection parameters, and

connection data from the connection layer are converted into respective processed

connection commands, processed connection parameters, and processed connection data of the second wireless data transfer standard (**col. 8, lines 33- 36 where a standard protocol conversion is performed**) and a sending unit configured to send out the processed connection commands, processed connection parameters, and processed connection data via the wireless connection according to the second wireless data transfer standard so as to transmit the data stored in the data storage unit (**col. 8, lines 27-40 - where the call and data is send by the first multimedia device**). Mauger discloses a managing unit configured to set at least one of the first standard and the second standard as a chosen standard **(col. 11, lines 12-21 - standard chosen-LAN or WAN).**

Mauger fails to disclose a wireless data transfer which first multimedia device and second multimedia device are connected via a point-to-point wireless connection but Koponen teaches a wireless data transfer which first multimedia device and second multimedia device are connected via a point-to-point wireless connection where a Bluetooth system which provides a point-to-point connection (**paragraph [0026] where Data transfer between the PDA device 10 and the mobile station 20 is arranged by means of a local link such as Bluetooth and infra-red therefore point to point**).

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Mauger and add a wireless data transfer which first multimedia device and second multimedia device are connected via a point-to-point wireless connection. The motivation would in order to enable the user different wireless communication devices simultaneously **(paragraph [0006]).**

But Mauger modified by Koponen is silent on disclosing when transmitting the data stored in the data storage unit, depending on at least one of signal strength, quality of service of the wireless connection, a distance between the multimedia device and the further multimedia device, and a direct request from the application.

Fujikola teaches a managing unit configured to set at least one of the first wireless standard and the second wireless standard as a chosen wireless standard when transmitting the data stored in the data storage unit, depending on at least one of signal strength, quality of service of the wireless connection, a distance between the multimedia device and the further multimedia device, and a direct request from the application **(col. 7 lines 64-67 - QOS).**

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Mauger and Koponen with that of Fujioka. The motivation would be because standards depend on distance **(col. 1, lines 21- 29).**

Regarding claim 29, Fujioka teaches determining whether to perform the standard switching from the first wireless data transfer standard to the second wireless data transfer standard based on a battery condition of at least one of the first multimedia device and the second multimedia device **(Fig. 3 and col. 5, line 23-36, depends on battery power).**

Regarding claim 30, Fujioka teaches wherein the properties of the wireless connection comprise signal strength, quality of service, and energy efficiency **(col. 7 lines 64-67 - QOS).**

Regarding claim 32, Fujioka teaches wherein the determining is performed by a management unit **(col. 6 lines 23-26).**

Regarding claim 35, Fujioka teaches wherein the management unit informs the application that the standard switching to the second wireless data transfer standard is determined, and the application, in response to the informing, adjusts a bit rate of the application data depending on the second wireless data transfer **standard (col. 11, lines 12-21).**

Regarding claim 42, Mauger discloses wherein the multimedia device is a video camcorder, personal computer, notebook, video recorder, television set, personal digital assistant, or a portable phone **(See Fig 2).**

Regarding claim 44, the above combination discloses wherein the adaptation layer is configured to: when the managing unit switches from the first wireless data transfer standard to the second wireless data transfer standard, open a new temporary wireless connection between said first multimedia device and said second multimedia device, the new temporary wireless connection operating according to said second

wireless data transfer standard; and terminate the currently applied first wireless data

transfer standard based on a determination of a need for the second wireless data

transfer standard (see above).

Conclusion

1.   Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to Amanuel Lebassi, whose telephone number is (571)

270-5303. The Examiner can normally be reached on Monday-Thursday from 8:00am to

5:00pm.

       If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

supervisor, Nick Corsaro can be reached at (571) 272-7876. The fax phone number for

the organization where this application or proceeding is assigned is (571) 273-

8300.

       Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist/customer service whose telephone

number is (571) 272-2600.

Amanuel Lebassi
   /A. L./
  02/10/2012

/NICK CORSARO/
Supervisory Patent Examiner, Art Unit 2617